

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Clifford L. Johnson,

Case No. 19-cv-00115 (DSD/BRT)

Plaintiff,

v.

**PLAINTIFF'S NOTICE OF  
ACCEPTANCE OF DEFENDANTS'  
RULE 68 OFFER OF JUDGMENT**

City of Minneapolis; and Officer  
Kevin Franek and Officer Brian  
Cummings, in their individual and  
official capacities,

Defendants.

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Notice is hereby given that Plaintiff accepts Defendants' attached Rule 68 Offer of Judgment. Plaintiff respectfully requests that the Court, pursuant to Defendants' Rule 68 Offer of Judgment and Fed. R. Civ. P. 68(a), enter judgment in favor of Plaintiff and against all Defendants, in the amount of \$10,000.00.

Dated: March 25, 2019

THE LAW OFFICE OF  
ZORISLAV R. LEYDERMAN  
By

s/ Zorislav R. Leyderman  
Zorislav R. Leyderman (#0391286)  
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*Attorney for Plaintiff*

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Clifford L. Johnson,  
Plaintiff,

v.

Case Type: Civil Other/Misc.  
Case No. 19:cv-115 (DSD/BRT)

City of Minneapolis; and Officer Kevin  
Franek and Officer Brian Cummings,  
in their individual and official  
capacities,

Defendants.

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**RULE 68 OFFER OF JUDGMENT**

TO: Plaintiff above-named and his attorney, Zorislav R. Leyderman, 222  
South Ninth Street, Suite 1600, Minneapolis, MN 55402.

Pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendant City  
of Minneapolis and Defendant Officers Kevin Franek and Brian Cummings,  
hereby offer to allow Plaintiff to take judgment against Defendant City of  
Minneapolis, and Defendant Officers Kevin Franek and Brian Cummings, jointly,  
on all claims made or which could have been in Plaintiff's Complaint, in the  
amount of \$10,000.00, plus reasonable attorney's fees and costs incurred by  
Plaintiff prior to the date of this offer; that is, with the costs then accrued. The  
costs and attorney's fees will be in an amount to be set by the court.

This offer of judgment is in no way or manner to be construed as an admission on the part of any Defendant, or of the validity of this case or of the liability of any Defendant, which validity and liability Defendants expressly deny.

The decision to make this offer is a calculated business decision based on litigation risks and costs. As such, Defendant City of Minneapolis and Defendant Officers Kevin Franek and Brian Cummings vigorously deny all liability, all wrongdoing, and the validity of all of Plaintiff's claims, and, further, Defendant City of Minneapolis maintains that none of its employees engaged in any wrongdoing during the incident described in the Complaint.

Dated: March 8, 2019

SUSAN L. SEGAL  
City Attorney  
By

/s/ Heather Robertson  
HEATHER ROBERTSON (#390470)  
BRIAN S. CARTER (#390613)  
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*Attorneys for Defendants*